

# DECLARATION

I, Edmund O. Schweitzer III, hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I am authorized to act on behalf of the assignee Schweitzer Engineering Laboratories, Inc.

The title of my position with the assignee is President.

The entire title to the following patent is vested in Schweitzer Engineering Laboratories, Inc., as evidenced by the records of the U.S. Patent and Trademark Office, Reel 7481, Frame 0242; U.S. Patent No. 5,680,324, issued on October 21, 1997 for "COMMUNICATIONS PROCESSOR FOR ELECTRIC POWER SUBSTATIONS" in the names of Edmund O. Schweitzer III and David C. Wood.

I believe said patentees to be the original, first and joint inventors of the subject matter which is described and claimed in said patent for which a reissue patent is sought, the specification of which is attached hereto.

I have reviewed and understand the contents of said specification, including the claims.

I acknowledge my duty to disclose information which is material to patentability, as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentees claiming more than they had the right to claim in the patent.

At least one error upon which reissue is based is described as follows: original claim 1 is too broad, because, when read in its broadest possible sense, it arguably reads on an apparatus which was publicly available more than one year prior to the filing date of the application which resulted in the original patent. An affidavit explaining the structure and operation of said apparatus and its relevance to the subject matter of original claim 1 is enclosed herewith. This reissue application is being filed with claims which define over said device.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

Assignee hereby offers to surrender the original patent No. 5,680,324 upon the grant of the reissue application.

Assignee hereby gives its consent to the reissue application.

I hereby appoint Robert A. Jensen, Registration No. 24,268, Clark A. Puntigam, Registration No. 25,763 and Christopher O. Duffy, Registration No. 19,480, comprising the firm of JENSEN & PUNTIGAM, P.S., 1020 United Airlines Bldg., 2033 Sixth Avenue, Seattle, Washington 98121-2584, **telephone (206) 448-3200** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Please address all correspondence and telephone calls to: **Clark A. Puntigam.**

Jensen & Puntigam, P.S.

2033 6th Ave., #1020

Seattle, WA 98121

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.



Edmund O. Schweitzer III

Date

17 Jan 2001

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